

1 DANIEL J. BRODERICK, Bar #89424
Federal Defender
2 DAVID M. PORTER, Bar #127024
Assistant Federal Defender
3 Counsel Designated for Service
801 I Street, 3rd Floor
4 Sacramento, California 95814
Telephone: (916) 498-5700
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6 Attorney for Defendant
EBONY L. PIPKINS

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) No. Cr. S 05-122 GEB
12)
Plaintiff,)
13) **STIPULATION AND [lodged] ORDER TO**
v.) **REDUCE SENTENCE PURSUANT TO 18**
14) **U.S.C. § 3582 (c) (2)**
EBONY L. PIPKINS,)
15) **RETROACTIVE CRACK COCAINE REDUCTION**
Defendant.) **CASE**
16) Judge: Honorable Garland E.
Burrell, Jr.

17 Defendant, EBONY L. PIPKINS, by and through her attorney,
18 Assistant Federal Defender David M. Porter, and plaintiff, UNITED
19 STATES OF AMERICA, by and through its counsel, First Assistant U.S.
20 Attorney Phillip A. Talbert, hereby stipulate as follows:

21 1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the
22 term of imprisonment in the case of a defendant who has been sentenced
23 to a term of imprisonment based on a sentencing range that has
24 subsequently been lowered by the Sentencing Commission pursuant to 28
25 U.S.C. § 994(o);

26 2. The sentencing range applicable to Ms. Pipkins was
27 subsequently lowered by the United States Sentencing Commission in
28 Amendment 750;

1 3. Accordingly, Ms. Pipkin's total offense level has been
2 reduced from 31 to 27, the new sentencing range is 100 to 125 months,
3 and the parties agree that an appropriate sentence in
4 light of all the circumstances and taking into consideration the
5 departure she received at the original sentencing would be 67 months;

6 4. Ms. Pipkins merits a reduction in her sentence based on the
7 factors listed in 18 U.S.C. § 3553(a), as well as considerations of
8 public safety and Mr. Pipkin's positive post-sentencing conduct;

9 5. Accordingly, the parties request the court enter the order
10 lodged herewith reducing Ms. Pipkin's term of imprisonment to 67
11 months.

12 Dated: October 26, 2011

13 Respectfully submitted,

14 BENJAMIN WAGNER
15 United States Attorney

DANIEL J. BRODERICK
Federal Defender

16 /s/ Phillip A. Talbert
17 PHILLIP A. TALBERT
18 First Assistant U.S. Attorney

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

19 Attorney for Plaintiff
UNITED STATES OF AMERICA

Attorney for Movant
EBONY L. PIPKINS

20
21 ORDER

22 This matter came before the Court on the stipulated motion of the
23 parties for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

24 The parties agree, and the Court finds, that Ms. Pipkins is
25 entitled to the benefit of the retroactive amendment reducing crack
26 cocaine penalties, which reduces the applicable offense level from 31
27 to 27.

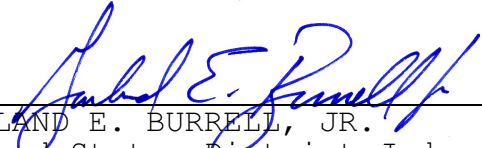
28 STIPULATION AND ORDER TO REDUCE SENTENCE

1 IT IS HEREBY ORDERED that the term of imprisonment imposed on June
2 11, 2008 is reduced to 67 months.

3 IT IS FURTHER ORDERED that all other terms and provisions of the
4 original judgment remain in effect. The Clerk of the Court shall
5 prepare an Amended Judgment.

6 Unless otherwise ordered, Ms. Pipkins shall report to the United
7 States Probation office closest to the release destination within
8 seventy-two hours after release.

9 Dated: October 27, 2011

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11 
12 GARLAND E. BURRELL, JR.
13 United States District Judge
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STIPULATION AND ORDER TO REDUCE SENTENCE